

Notice of Allowability

Application No.

10/007,178

Examiner

Rabon Sergent

Applicant(s)

DOESBURG ET AL.

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request for Continued Examination filed September 27, 2004.
2. ☒ The allowed claim(s) is/are 1,2,4-9,12,13,15-20,26,27,30-36 and 40-48.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 120204.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


RABON SERGENT
PRIMARY EXAMINER

Art Unit: 1711

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Richards on December 2, 2004.

The claims have been amended as follows:

1. (Previously presented) A composition comprising at least one polyol, an isocyanate, a catalyst and glass cullet, said glass cullet having an average particle size of not greater than 100 mesh and not less than 325 mesh, wherein said glass cullet has a pH in deionized water of up to approximately 8.4 and wherein the glass cullet is derived from recycled glass, wherein said recycled glass cullet is not derived from plate glass or soda lime glass.
2. (Currently amended) The composition of Claim 1, wherein said glass cullet has an average particle size of ~~approximately~~ 100 to 200 mesh.
3. (Cancelled).
4. (Original) The composition of Claim 1, wherein said glass cullet has a pH in deionized water of approximately 7 to 8.4.

Art Unit: 1711

5. (Original) The composition of Claim 1, wherein said glass cullet comprises approximately 5 to 95 weight percent of said composition.

6. (Original) The composition of Claim 1, wherein said composition has a density after curing of approximately 7 to 80 pounds per cubic foot.

7. (Original) The composition of Claim 1, wherein said glass cullet is derived from bottle glass.

8. (Original) The composition of Claim 1, wherein said glass cullet is derived from flint glass, amber glass, emerald green glass, borosilicate glass, E. glass or mixtures thereof.

9. (Original) The composition of Claim 1, wherein said glass cullet is derived from tri-color glass.

10. (Cancelled).

11. (Cancelled).

Art Unit: 1711

12. (Previously presented) A method comprising the steps of adding to a composition comprising at least one polyol, an isocyanate, and a catalyst an amount of glass cullet, said glass cullet having an average particle size of not greater than 100 mesh and not less than 325 mesh, wherein said glass cullet has a pH in deionized water of up to approximately 8.4 and wherein the glass cullet is derived from recycled glass, wherein said recycled glass cullet is not derived from plate glass or soda lime glass.

13. (Currently amended) The method of Claim 12, wherein said glass cullet has an average particle size of ~~approximately~~ 100 to 200 mesh.

14. (Cancelled).

15. (Original) The method of Claim 12, wherein said glass cullet has a pH in deionized water of approximately 7 to 8.4.

16. (Original) The method of Claim 12, wherein said glass cullet comprises approximately 5 to 95 weight percent of said composition.

17. (Original) The method of Claim 12, wherein said composition has a density after curing of approximately 7 to 80 pounds per cubic foot.

Art Unit: 1711

18. (Original) The method of Claim 12, wherein said glass cullet is derived from post-consumer bottle glass.

19. (Original) The method of Claim 12, wherein said glass cullet is derived from flint glass, amber glass, emerald green glass, borosilicate glass, E. glass or mixtures thereof.

20. (Original) The method of Claim 12, wherein said glass cullet is derived from tri-color glass.

21.-25. (Cancelled).

26. (Original) An article made from the composition of Claim 1.

27. (Previously presented) A polyurethane polymer comprising:

a Side B composition comprising at least one polyol, a catalyst and glass cullet, said glass cullet having an average particle size of not greater than 100 mesh and not less than 325 mesh, wherein said glass cullet has a pH in deionized water of up to approximately 8.4 and wherein said glass cullet is derived from recycled glass, wherein said recycled glass cullet is not derived from plate glass or soda lime glass; and

a Side A composition comprising at least one isocyanate at an index between 0.8 and 1.20.

28-29. (Cancelled).

Art Unit: 1711

30. (Currently amended) An article made from the polyurethane polymer composition of Claim 27.

31. (Currently amended) A composition comprising at least one polyol, an isocyanate, a catalyst and glass cullet, said glass cullet having an average particle size of not greater than 100 mesh and not less than 325 mesh, wherein said glass cullet has a pH in deionized water of up to approximately 8.4 and wherein said glass cullet is derived from post-consumer bottle glass, wherein said recycled glass cullet is not derived from plate glass or soda lime glass.

32. (Previously presented) A composition comprising at least one polyol, an isocyanate, a catalyst and glass cullet, said glass cullet having an average particle size of not greater than 100 mesh and not less than 325 mesh, wherein said glass cullet has a pH in deionized water of up to approximately 8.4 and wherein said glass cullet is derived from flint glass, amber glass, emerald green glass, borosilicate glass, E. glass or mixtures thereof.

33. (Previously presented) A composition comprising at least one polyol, an isocyanate, a catalyst and glass cullet, said glass cullet having an average particle size of not greater than 100 mesh and not less than 325 mesh, wherein said glass cullet has a pH in deionized water of up to approximately 8.4 and wherein said glass cullet is derived from tri-color glass.

34. (Previously presented) An article made from the composition of Claim 2.

Art Unit: 1711

35. (Currently amended) An article made in accordance with the method ~~from the composition~~ of Claim 12.

36. (Currently amended) An article made from the composition of Claim 4 ~~22~~.

37.-39. (Cancelled).

40. (Previously presented) An article made from the composition of Claim 31.

41. (Previously presented) An article made from the composition of Claim 32.

42. (Previously presented) An article made from the composition of Claim 33.

43. (Previously presented) The composition of Claim 1, wherein said composition is frothed or foamed.

44. (Previously presented) The composition of Claim 1, wherein said composition forms an elastomer.

45. (Currently amended) The method ~~composition~~ of Claim 12, wherein said composition is frothed or foamed.

Art Unit: 1711

46. (Currently amended) The method ~~composition~~ of Claim 12, wherein said composition forms an elastomer.

47. (Currently amended) The composition of Claim 2 ~~22~~, wherein said composition is frothed or foamed.

48. (Currently amended) The composition of Claim 2 ~~22~~, wherein said composition forms an elastomer.

Any inquiry concerning this communication should be directed to R. Sergent at telephone number (571) 272-1079.


RABON SERGENT
PRIMARY EXAMINER

R. Sergent

December 2, 2004